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| In re Application of | : | |
| Goldman et al. | : | |
| Application No. 09/264,432 | : | DECISION ON PETITION |
| Filed: March 8, 1999 | : | |
| Attorney Docket No. 14531.46 | : | |

This is a decision on the petition under 37 CFR 1.181, filed February 21, 2005, to withdraw the holding of abandonment in the above-identified application.¹

This application was held abandoned for failure to respond in a timely manner to the Notice Regarding Drawings mailed on September 20, 2005. A Notice of Abandonment was mailed on January 30, 2006. On February 21, 2005, petitioners filed the present petition. Petitioners asserted that they timely submitted corrected drawings via Express Mail on October 11, 2005.

The response, including two sheets of corrected drawings, was located in the file of application No. "09/296,423." A review of the correspondence indicates that the drawings were filed in the USPTO on October 11, 2005, but were not matched with the file due to the incorrect application number.

Under current Office procedure, a response that has an incorrect application number is handled in accordance with MPEP Section 508.03. If a paper having an incorrect application number contains sufficient information to identify the correct application and was timely received at the Office, the holding of abandonment will be withdrawn. In reviewing the papers, it is concluded that there was sufficient information thereon to associate the papers with the present application file.

For the reasons stated above, the Notice of Abandonment is hereby withdrawn and the application is returned to pending status.

The petition is **GRANTED**.

¹ The present petition indicates the incorrect Application No. "09/296,423" in the header, instead of correct Application No. "09/264,432."

The matter is being referred to the Office of Patent Publication.

Telephone inquiries concerning the issuance of the application into a patent should be directed to the Office of Patent Publication, Customer Service at (571) 272-4200. Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3211.

Christina T. Donnell

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